

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : BOUJRA et al.
International Application No. : PCT/DE99/00815
International Filing Date : 12 March 1999
U.S. Serial No. : 09/646,089
For : ELECTRONIC TRIPPING DEVICE COMPRISING
CONTROL AND DISPLAY ELEMENTS

Assistant Commissioner
for Patents
Box PCT
Washington, D.C. 20231
Attention: DO/EO/US

**RESPONSE TO MISSING REQUIREMENTS
UNDER 35 U.S.C. 371**

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed October 11, 2000), Applicants submit herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventor executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

Applicants hereby request a three-month extension of time for responding to the Office Action of October 11, 2000, which set a one-month period for response. The extended period for response expires on February 12, 2000 (February 11th being a Sunday). Please charge the \$890.00 extension fee to the deposit account of Kenyon & Kenyon, deposit account number 11-0600.

The Office is authorized to charge the \$130.00 fee to cover the surcharge for late

filing of the Declaration to Deposit Account No. 11-0600.

02/05/2001 NGUYEN 00000066 110600 09646089

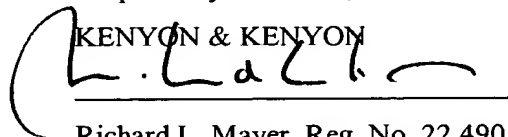
01 FC:154 130.00 CH
02 FC:117 890.00 CH

Date:

1/2/01

Respectfully submitted,

KENYON & KENYON



Richard L. Mayer, Reg. No. 22,490
One Broadway
New York, NY 10004
Tel: (212) 425-7200
Fax: (212) 425-5288

Express Mail No. EL302703084
347015



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box 997
Washington, D.C. 20231

U.S. APPLICATION NO. 09/646089	POST NAMED APPLICANT BOUJRA	ATTY. DOCKET NO. P	67190/884046
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			
INTERNATIONAL APPLICATION NO. PCT/DE99/00815			
LA. FILING DATE 12 MAR 99		PRIORITY DATE 13 MAR 88	
DATE MAILED: 11 OCT 2000			

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
 - ☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a non-English language.

☐ English.

☐ Translation of the international application into English.

☒ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☒ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Esther Dove

Telephone: 703-305-5460

BEST AVAILABLE COPY



U.S. APPLICATION NO. 08/848089	FIRST NAMED APPLICANT BOUURA	ATTY. SOCKET NO. 67180/884046
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004		
INTERNATIONAL APPLICATION NO. PCT/DE99/00815		
LA. FILING DATE 12 MAR 99	PRIORITY DATE 13 MAR 98	
DATE MAILED: 1 OCT 2000		

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the specification to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the city and state or city and foreign country of residence or each inventor.
2. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

Esther Dove
Esther Dove

Telephone: 703-305-6114

BEST AVAILABLE COPY

BEST AVAILABLE COPY

EL 594607365US 67190/984046 9/13/00 RLM

the stamp of the Patent Office hereon, may be taken as

acknowledging the receipt, on the date stamped, of

~~National Phase~~
PATENT APPLICATION of BOUTRA, Pamela, et al.

Title Electronic Tripping Device Comprising Control
and Display Elements

German
Specification 13pgs

No. of claims 9

No. of drawings 3

Declaration unsigned

ing fee \$ 840.00

US & PTO Form 1449

2 refs

International Search Report
COPY of German Preliminary Examination Report

Assignment

525 Rec'd PCT/PTO 13 SEP 2000

Recording fee \$

Authorization to charge Dep. Acct. 11-0600

Priority Document

Preliminary Amendment

Small Entity 09/646089

P 33887 US^W

BEST AVAILABLE COPY

EL594607365US 67190/984046 9/13/00 RLW

The stamp of the Patent Office hereon, may be taken as

acknowledging the receipt, on the date stamped, of

National Phase
PATENT APPLICATION of *BOUJRA, Pamela, et al.*

Title *Electronic Tripping Device Comprising Contr*
and Display Elements

German
Specification *13pgs*

Assignment _____

No. of claims *9*

Recording fee \$ _____

No. of drawings *3*

Authorization to charge Dep. Acct. *11-0607*

Declaration *unsigned*

Priority Document _____

Filing fee \$ *840.00*

Preliminary Amendment _____

IDS & PTO FORM 1449

Small Entity _____

2 refs

International Search Report

Copy of German Preliminary Examination Report

EL594607365US

EXPRESS MAIL CERTIFICATE

"EXPRESS MAIL" MAILING LABEL NUMBER EL594607365US

DATE OF DEPOSIT 9/13/00

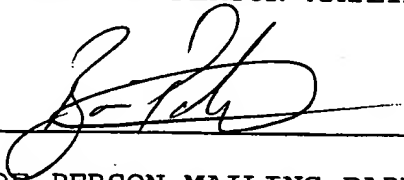
TYPE OF DOCUMENT National Phase Application: BOUJRA, Pamela, e

SERIAL NO. to be assigned FILING DATE Here with

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE, BY BEING HANDED TO A POSTAL CLERK OR BY BEING PLACED IN THE EXPRESS MAIL BOX BEFORE THE POSTED DATE OF THE LAST PICK UP, AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

BORIS POLANCO

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)



(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Electronic Tripping Device Comprising Control and
Display Elements

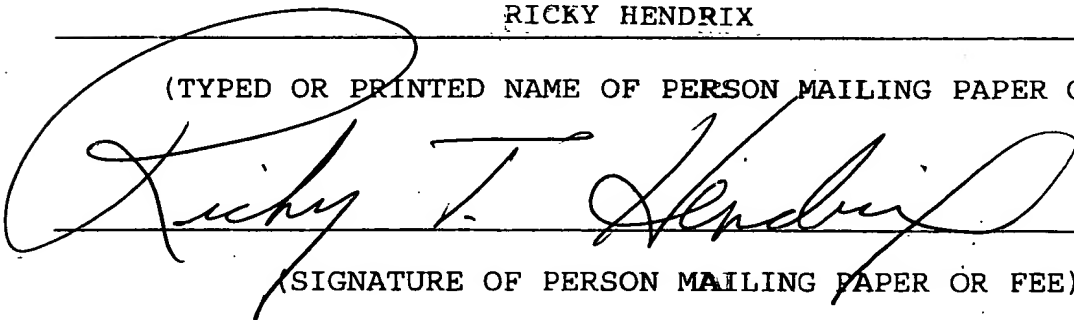
BEST AVAILABLE COPY

EXPRESS MAIL CERTIFICATE"EXPRESS MAIL" MAILING LABEL NUMBER EL30270308445DATE OF DEPOSIT 2/1/01TYPE OF DOCUMENT Response to Missing RequirementsSERIAL NO. 09/646,089FILING DATE 3/12/1999

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE, BY BEING HANDED TO A POSTAL CLERK OR BY BEING PLACED IN THE EXPRESS MAIL BOX BEFORE THE POSTED DATE OF THE LAST PICK UP, AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

RICKY HENDRIX

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)



(SIGNATURE OF PERSON MAILING PAPER OR FEE)